

REMARKS

Claims 1-18, 20-26, 31-48, 50, 52-60, 72-79, 88, 90, and 91 are pending, of which claims 1 and 88 are independent. Favorable reconsideration of the final office action mailed May 13, 2008 ("Final Action") is respectfully requested in view of the following remarks.

35 U.S.C. § 102 Rejections

Claims 1-5, 7-11, 13, 14, 16, 20-23, 31, 32, 34, 36-38, 40-48, 50, 52-56, 59-60, 72-79, and 88 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chislenko et al. (US 6,041,311).

On page 2 of the Final Action, the Examiner stated:

Applicant's arguments with regards to Chislenko et al. (U.S. 6,041,311) have been fully considered, but they are not persuasive. In the remarks, Applicant argues that Chislenko et al. does not teach or suggest parameters characterizing predicted ratings of items by a typical non-specific user of the group.

In response to this argument, Examiner respectfully disagrees. (See figure 1 (step 102), column 2, lines 20-30, column 5, lines 29-45 and line 65-column 6, line 15 and lines 57-67, column 8, lines 1-7, column 9, lines 1-11, wherein parameters, such as clustering and similarity factors, are computed for a group and used to predict ratings. **Using these factors, Chislenko et al. discloses in column 10, lines 10-15, that a rating is predicted for an average user of the group, using the weighted averages of ratings by members of the overall group. This allows the system to calculate an expected rating by any member of the group.** Therefore, taking the Chislenko et al. references as a whole, Chislenko does teach and suggest parameters characterizing predicted ratings of items by a typical non-specific user of the group.

Therefore, it can be seen that the Examiner takes the position that column 10, lines 10-15 of Chislenko teaches the use of "clustering and similarity factors" to predict a rating for an "average user of the group." The Applicant respectfully submits that this position directly contradicts the teachings of Chislenko, both at the cited paragraph and as a whole. Column 10, lines 10-15 of Chislenko states:

In another embodiment [1] the user selects an item for which a predicted rating is desired. A rating can be predicted by [2] taking a weighted average of the ratings given to that item by the user's neighboring users. [annotated by the Applicant.]

Part [1] of the above-quoted paragraph specifies that the user selects an item for which a predicted rating is desired. That is, the predicted rating is for a specific user, not a "non-specific user" as recited in previously-presented claim 1. Part [2] of the above-quoted paragraph specifies that Chislenko predicts a rating for the user by "taking a weighted average of the ratings given to that item by the user's neighboring users." This further conflicts with the requirement that the recited parameters relate to a "non-specific user." In Chislenko, each specific user would in general yield different parameters.

Referring to column 2, lines 20-30, Chislenko describes the manner in which the Chislenko system predicts a rating for the user by "taking a weighted average of the ratings given to that item by the user's neighboring users":

1) First, the Chislenko system uses the similarity and clustering factors to select users which are considered by the system as "neighboring users" for a given user (referred to in this Reply as "User M"). (See column 2, lines 20-23, which states "...to calculate a set of similarity factors which indicate the amount of correlation between a user and other users of the system" and column 8, lines 1-3, which states "...the similarity factors are used to select a plurality of users that have a high degree of correlation to a user (step 106). These users are called the user's neighboring users.")

2) Next, the Chislenko system assigns a weight to each of the User M's neighboring users based on the amount of correlation between User M and the respective neighboring users. For example, "the weights are assigned by subtracting the similarity factor calculated for each neighboring user from the threshold value and dividing by the threshold value." (See column 9, lines 9-27)

3) Finally, the Chislenko system takes a weighted average of ratings by User M's neighboring users. (See column 9, lines 42-46)

In other words, Chislenko discloses using similarity and clustering factors to identify User M's neighboring users and subsequently predicting a rating by User M for a given item based on the ratings given by User M's neighboring users for that given item. No portion of the Chislenko disclosure provides any support for the Examiner's position that the similarity and clustering factors are used to predict a rating for an "average user of the group." Rather, the similarity and clustering factors are used to identify a specific user's neighboring users, whose ratings may then be used to compute a predicted rating for that specific user.

Chislenko's predicted rating is specific to a particular user based on the selection of its neighboring users. Chislenko fails to disclose computing parameters characterizing predicted ratings of item by a "typical non-specific user of the group," as required in previously-presented claim 1.

For at least these reasons, claim 1 and its dependents are allowable over Chislenko.

The forgoing remarks also apply to independent claim 88 and its dependents, each of which has corresponding limitations.

35 U.S.C. § 103 Rejections

Claims 6, 12, 15, 17, 18, 24-26, 33, 35, 39, 57, and 58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chislenko.

The dependent claims are allowable for at least the reasons that apply to the independent claims from which they depend.

PTO 1449

The applicant respectfully requests consideration of the AU reference cited in the August 20, 2007 Information Disclosure Statement and return of the initialed PTO Form 1449 to the undersigned attorney.


Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any charges or credits to Deposit Account No. 50-4189, referencing Attorney Docket No. 30003-002001.

Respectfully submitted,

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